

Appl. No. 10/699,135
Amdt. dated May 23, 2005
Reply to Office Action of February 22, 2005

REMARKS

Reconsideration of this application and the rejection of claims 25, 26, 30 and 37-42 are respectfully requested. Applicants have attempted to address every objection and ground for rejection in the Office Action dated February 22, 2005 (Paper No. 20050216) and believe the application is now in condition for allowance. The claims have been amended to more clearly describe the present invention.

Claims 25-26 and 30 stand rejected under the judicially created doctrine of obviousness-type double patenting in view of US Patent No. 6,685,511. As suggested by the Examiner, Applicants enclose herewith a Terminal Disclaimer and the associated fee. Accordingly, the rejection based on the '511 patent is respectfully traversed.

Claims 37-42 stand rejected under the judicially created doctrine of obviousness-type double patenting in view of US Patent No. 6,685,511 and also in view of McCambridge (US 5,075,971) and Horii et al. (US 4,899,442). In view of the filing of the Terminal Disclaimer as discussed above, the main '511 reference is removed. Applicants respectfully submit that Horii and McCambridge, whether considered alone or in combination, fail to disclose or suggest the structure now recited in claims 37-42 in their current form. Accordingly, the rejection based on this combination is respectfully traversed.

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Claims 25, 37-39 and 41-42 stand rejected under the judicially created doctrine of obviousness-type double patenting in view of US Patent No. 6,739,053. As suggested by the Examiner, Applicants enclose herewith a Terminal Disclaimer and the associated fee. Accordingly, the rejection based on the '053 patent is respectfully traversed.

Claims 25-26 and 30 stand rejected under 35 U.S.C. 102(b) as being anticipated by Donnelly (US 560,260). Donnelly discloses a manually-actuated hair clipper having a fixed handle terminating in an outer sleeve with an inner sleeve holding a guard and another handle actuating a moving blade. In Donnelly, a nut (26) must be loosened to manually rotate the "head" (the top plate, guard-plates and cutter plates) into an operative position, as described on Page 2, column 1, lines 18-34. As amended, claim 25 recites, among other things, a drive motor mounted in said housing to drive said bladeset. Since Donnelly does not disclose the subject matter of amended claim 25, the §102 rejection is respectfully traversed.

Claims 25-26 and 30 stand rejected under 35 U.S.C. 102(b) as being anticipated by Lee (US 382,288). Lee discloses a manually-actuated hair clipper having two handles that move a cutter blade B reciprocating engagement relative to cutter blade A. These two blades are held in place by a bolt D running through a cap C and held in place by a nut E. While Lee describes the clipper as being a "reversible clipper", it does not explain the operation of this clipper and in what way the clipper is "reversible." It appears that the clamping bolt D must be loosened to move the protected part of cutter blade A and the protected part of upper

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cutter B into an operative position. As amended, claim 25 recites, among other things, that a drive motor mounted in said housing to drive said bladeset.

Since neither Donnelly nor Lee discloses the subject matter of amended claim 25, the §102 rejections based thereon are respectfully traversed. In addition, rejected claims 26 and 30 depend from amended independent claim 25, now submitted to be in allowable form.

Applicants submit that in view of the above-identified amendments and remarks, the claims in their present form are patentably distinct over the art of record. Allowance of the rejected claims is respectfully requested. Should the Examiner discover there are remaining issues which may be resolved by a telephone interview, he is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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